

STATE OF TEXAS                   \$  
COUNTIES OF ARANSAS       \$  
SAN PATRICIO AND NUECES   \$  
CITY OF ARANSAS PASS       \$

On this the 3rd day of November, 2014 the City Council of the City of Aransas Pass convened in a Regular Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

|          |               |                |
|----------|---------------|----------------|
| PRESENT: | Adan Chapa    | Mayor          |
|          | Vickie Abrego | Mayor Pro Tem  |
|          | Ramiro Gomez  | Council Member |
|          | Billy Ellis   | Council Member |
|          | Phillip Hyatt | Council Member |

ABSENT:

ADMINISTRATIVE

PERSONNEL PRESENT: Sylvia Carrillo City Manager  
Yvonne Stonebraker City Secretary

ADMINISTRATIVE

PERSONNEL ABSENT: Allen Lawrence City Attorney

|                |                 |                        |
|----------------|-----------------|------------------------|
| STAFF PRESENT: | Bill Haines     | EMC/Harbor Master      |
|                | Eric Blanchard  | Police Chief           |
|                | Manny Camarillo | Parks and Rec Director |
|                | Jeff Martin     | I.T.                   |
|                | Marvin Leister  | I.T. Intern            |
|                | J.P. Gonzales   | Meter Reader           |

OTHERS PRESENT: Ricky & Priscilla White, Don Brummett, Steve White, Dan Moore, Carol Salinas, Jim Covington, Mack & Kathy Oliver, Juan Perales, Jr., Annita & Chuck West.

*There may have been others present who did not sign in.*

1. **CALL MEETING TO ORDER.**

Mayor Chapa opened the meeting at 7:00 P.M.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Mayor Chapa led the Invocation and the Pledge of Allegiance to the United States Flag.

3. CONSENT AGENDA – “All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately”.

- A. MINUTES OF SEPTEMBER 15, OCTOBER 6, AND OCTOBER 20, 2014.
- B. ORDINANCE NO. 2014-4094 - AN ORDINANCE AMENDING A PORTION OF THE USE CHART OF ORDINANCE 1308, THE ZONING ORDINANCE OF THE CITY OF ARANSAS PASS; AND, PROVIDING FOR AN EFFECTIVE DATE.
- C. RESOLUTION NO. 2014-740 - A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF

INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AND PROVIDING AN EFFECTIVE DATE.

- D. RESOLUTION NO. 2014-741 - A RESOLUTION RELATING TO ESTABLISHING THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS' INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO THE ACQUISITION OF CERTAIN PERSONAL PROPERTY FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

Motion Made By: Council Member Hyatt

Seconded By: Council Member Ellis

Votes: Aye Hyatt, Ellis, Abrego, Gomez, Chapa

Discussion: Council Member Hyatt made a motion to approve the consent agenda with corrections to the October 20, 2014 minutes. Council member Ellis seconded the motion and the motion carried unanimously.

4. CITIZENS' COMMENTS.

Name: Mr. Mack Oliver

Address: 405 Bigelow

Concern: Would like the City to donate the building he is currently storing his Tai Kwan Do equipment in. He stated his organization, Oliver's Martial Arts, would hold fund raisers to tear down the building and remove it from the harbor. He stated once the city found a piece of property for him he would re-build the building on said property.

City Manager Carrillo stated the City of Aransas Pass could not give property away. She stated all city property must be put up for bid and the property would go to the highest bidder. She stated the city could re-locate the building but her main concern was bringing the building up to code. She suggested to Mr. Oliver to take a walk through of the building with the City Building Official Michael Holmes to see what it would take to bring the building up to code.

Departments Affected:

5. CONSIDER AND ACT ON ENTERING INTO TCPN CONTRACT # R5127 (FUEL CARDS & RELATED SERVICES) WITH TEXAS FLEET FUEL TO PROVIDE OFF-SITE FUEL CARD SERVICES TO THE CITY OF ARANSAS PASS.

Motion Made By: Council Member Hyatt

Seconded By: Mayor Pro Tem Abrego

Votes: Aye Hyatt, Abrego, Gomez, Ellis, Chapa

Discussion: City Manager Carrillo stated presently the City had underground storage facilities for fuel and a contract with Susser Petroleum. She stated the City paid a rack price and a mark-up price. She stated presently, there was no way of tracking usage and was basically on the honor system. With the City using the fuel cards, the card would be linked to the VIN number of the vehicle and could track usage, mileage, hours and man hours of the vehicle or piece of equipment. She stated if an employee had to take a trip out of town and had a flat tire, you could activate the card to repair or replace the tire. She stated the fuel card would end up saving the city. She stated presently, the city spends over \$100,000 a year in fuel.

Mr. Aaron stated each vehicle and each piece of equipment would have its own card and each employee would have their own pin number. He stated when an employee swipes their card at the pump, the pump will ask for their pin number. Once the pin number is typed in, the pump will ask for an odometer reading. He stated the odometer reading will keep track of mileage. He stated if the employee put in an incorrect odometer reading, the city would receive an e-mail stating a wrong odometer reading was put into the pump and the same goes for a wrong pin number inserted. This will help the city keep track of every dollar spent, and every gallon used. He stated the city would receive a report on a weekly basis and would have online access to view all fuel usage. He stated the City of Aransas Pass had 9 locations locally that accepted the fuel card. He stated if an

employee was to be let go, you could kill a pin number instantly and get a new pin number within 5 minutes. New cards could be in hand by 24 to 48 hours. He stated the fuel card also helped with depreciation of the vehicles and equipment. He stated that there is no limit on the card, meaning some cards cut off at \$100.00 and the employee had to hang up the pump and start the process all over again.

City Manager Carrillo stated the weaker point of the system would involve the heavy equipment. She stated heavy equipment is tracked by man hours.

Aaron stated Texas Fleet Fuel has business in 70 cities and 164 government entities and was an Austin Based company. He stated Fleet Fuel Cards did not have contracts but had agreements. He stated if Aransas Pass decided Fleet Fuel Card was not for the city, the City could get out of the agreement. He stated he would be the City's representative and is based in Corpus Christi.

Council Member Hyatt made a motion to approve entering into TCPN Agreement #R5127 (fuel cards & related services) with Texas Fleet Fuel to provide off-site fuel card services to the City of Aransas Pass. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

**6. CONSIDER AND ACT ON A NOMINATION BY RESOLUTION TO FILL MR. FRANK HAMETNER'S POSITION ON THE SAN PATRICIO COUNTY APPRAISAL DISTRICT IN A SPECIAL ELECTION.**

Motion Made By: Mayor Pro Tem Abrego

Seconded By: Council Member Ellis

Votes: Aye Abrego, Ellis, Gomez, Hyatt, Chapa

Discussion: City Manager Carrillo stated Mr. Dan Moore and Mr. Victor Galvan would both like to be considered for the San Patricio County Appraisal District, the person had to be nominated by resolution and San Patricio County Appraisal District must receive the resolution no later than December 4<sup>th</sup>, 2014.

Mayor Pro Tem Abrego made a motion to pass on agenda item number 6 until more information could be obtained. Council Member Ellis seconded the motion and the motion carried unanimously.

**7. CONSIDER AND ACT ON REQUEST OF FRANK SBRUSCH TO FORGIVE LIEN INTEREST ON LOT(S) 12 & 13, BLOCK 231, 100 BLOCK OF S 10TH.**

Motion Made By: Council Member Hyatt

Seconded By: Council Member Gomez

Votes: Aye Hyatt, Gomez, Abrego, Ellis, Chapa

Discussion: City Manager Carrillo stated Lots 12 & 13, Block 231 had liens totaling \$1,250.75 and with added interest of \$848.05 made the total \$2,098.80. Mr. Sbrusch is willing to pay the principal amount but is asking for the interest of \$848.05 be forgiven.

Council Member Hyatt made a motion to approve the request of Frank Sbrusch forgiving lien interest of \$848.05 on Lots 12 & 13, Block 231, 100 Block of S. 10<sup>th</sup>. Council Member Gomez seconded the motion and the motion carried unanimously.

**8. CONSIDER AND ACT ON ALLOWING MACK OLIVER TO USE 405 BIGELOW TO TEACH CLASSES UNTIL BUILDING IS DEMOLISHED.**

Motion Made By: Council Member Ellis

Seconded By: Council Member Gomez

Votes: Aye Ellis, Gomez, Abrego, Hyatt, Chapa

Discussion: Council Member Ellis made a motion allowing Mack Oliver to use 405 Bigelow to teach martial art classes until building is demolished. Council Member Gomez seconded the motion and the motion carried unanimously.

9. **CONSIDER AND ACT ON ENTERING INTO A CONTRACT WITH J & J DIVERS FOR AN AMOUNT NOT TO EXCEED \$20,000.**

Motion Made By: Mayor Pro Tem Abrego

Seconded By: Council Member Hyatt

Votes: Aye Abrego, Hyatt, Gomez, Ellis, Chapa

Discussion: City Manager Carrillo stated the City had recently entered into a contract with J & J Divers for an amount less than \$50,000 for the entire inner harbor peninsula, through the outer harbor for bulkhead inspection. She stated if Council had any questions, Mr. Chuck West with J & J Divers was present.

Mr. West stated the present contract would take care of the bulkhead on Huff Street from Wilson Street (hilltop) to the city property just before the dry stack boat storage (this property was not included in first contract.) He stated he had seen faults in the bulkhead from the waters side. He stated Phase I, II and III are complete which consist of bulkhead from the dry stack boat storage all the way around the peninsula and back up to Aransas Marine Ways (Eddie Gilden). Mr. West stated he delivered the report, narrative, pictures, data, and an invoice for completed Phase's I, II, and III. He stated there were many problem places but not as many as he thought but there was quite a bit of work that needed to be done. He stated some of the underwater pictures were hard to make out but they showed separation, cracks, wall shifting, and wall kick outs at the bottom. He stated those were minor issues and the city would probably not address those until they became major issues and J & J Divers did put a time forecast on the minor problems.

City Manager Carrillo stated the bulkhead that this contract covers is bulkhead recently repaired and is already failing and part of the failing bulkhead is on leased property.

Mayor Pro Tem Abrego made a motion to approve entering into a contract with J & J Divers for an amount not to exceed \$20,000. Council Member Hyatt seconded the motion and the motion carried unanimously.

10. **CONSIDER AND ACT ON POLICE DEPARTMENT ITEMS:**

**A. APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE POLICE DEPARTMENT AND COASTAL BEND REGIONAL AMBER ALERT PROGRAM – REGION 5, CHILD ABDUCTION RESPONSE TEAM.**

**B. APPROVING THE PURCHASE OF PETPOINT HOSTED SAAS FOR ANIMAL SERVICES DIVISION.**

Motion Made By: Council Member Hyatt

Seconded By: Council Member Ellis

Votes: Aye Hyatt, Ellis, Abrego, Gomez, Chapa

Discussion: Police Chief Eric Blanchard stated, with the Memorandum of Understanding (MOU), Aransas Pass would be working with Corpus Christi Police Department and surrounding agency's (12 county area). By joining formally Aransas Pass PD would open up to available resources. An Aransas Pass CID Officer would be assigned to that team. He stated if CART was activated, the AP CID Officer would assist the agency with his specialty or resource.

Police Chief Blanchard stated PetPoint would help Animal Control Officers with animal's impounded, adopted, daily medication, help manage daily activities and other related animal services. He stated PetPoint would also integrate with the police department's website. He stated initial start-up for PetPoint was a \$500.00 deposit but the \$500.00 deposit was refunded at the end of the program. He stated PetPoint made their money by animal chips and insurance. Once the Aransas Pass Police Department started chipping the animals, the PD had to buy the chips from PetPoint. He also stated when an animal was adopted, the citizens had free 90 day insurance in case the animal became sick and after 90 days, the citizens could purchase extended insurance on the animal.

City Manager Carrillo stated there were 4 or 5 pet finder websites and when you put information into PetPoint, it populates the other pet finder websites immediately. She stated PetPoint could increase adoptions.

Council Member Hyatt made a motion to approve Police Department Items A and B in one fluid motion. Council Member Ellis seconded the motion and the motion carried unanimously.

11. **CITY MANAGER UPDATES: CONN BROWN HARBOR, ARANSAS PASS THANKSGIVING FEAST, VETERANS MEMORIAL PARK, COMMUNITY PARK**

Discussion: City Manager Carrillo stated demolition work at Conn Brown Harbor continues and the concrete asbestos tests were clear. She stated the city has received an overwhelming support for the Thanksgiving feast. HEB and the Aransas Pass Drill Team were going to man the children's area and local Author Alpha Covington was going to read and autograph some of her books. She stated the city planned on 400 meals but now the city will far exceed that number. City Manager Carrillo reminded Council the Aransas Pass Thanksgiving Feast would be held on Wednesday, November 19, 2014 from 6 PM to 8 PM. She stated Veteran's Memorial Park equipment was going up faster than expected and the actual Veteran's Monument doesn't arrive until January 2015. She stated Council will see a change order for Veterans Memorial Park concerning concrete (some of the concrete was not salvageable). She stated the Veteran's Memorial Park has already been vandalized but wanted everyone to know there are camera's installed at the park. She stated bollards and nautical rope still needed to be installed but there are still some concrete that needs to be poured and electrical and lighting, as well. She stated Community Park is going up fast and demolition was faster than what she thought. She stated some of the pea gravel was taken from Community Park and put into the flower beds in front of City Hall and the rest of the gravel will be used for the fire hydrants around town. She stated all of the swing sets in Community Park will be up by early December 2014. She stated it would be up to Council to vote on rest of improvements and schedule of events. She stated she is hoping Community Park will be finished by the April 2015 time frame. City Manager Carrillo told Council to be ready for ribbon cutting and ground breaking for first couple of weeks in January 2015 for Veteran's Memorial Park. City Manager Carrillo stated City Hall was slowly being taken over by Christmas decorations. She stated the TxDOT Utility Permit was in process and has wrangled through the AEP process. She stated permanent outlets would be installed at the base of each light pole so they may be used year after year. She stated the posts that are to replace the posts down town are slated to arrive until late November. She stated that would definitely slow staff down.

Mayor Chapa stated for Halloween they had the "Trunk of Treat" and was visited by approximately 60 children. He stated parents asked if they could do the same next year because they liked the idea. He stated a citizens donated a couple of bags of candy because he liked what the Mayor was doing with the "Trunk or Treat".

City Manager Carrillo stated citizens asked about the fire departments haunted house. She stated with all of the work going on at the harbor, the haunted house wasn't feasible. She stated staff would definitely look for an alternate site next year for the fire department haunted house.

12. **RECESS OPEN MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Mayor Chapa recessed the Open Meeting and retired to Executive Session at 7:59 PM.

A. **SECTION 551.072 – DELIBERATIONS REGARDING REAL PROPERTY – CONN BROWN HARBOR DEVELOPMENT**

B. **SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY – LEGAL MATTERS – NAISMITH ENGINEERING**

13. **RECONVENE OPEN MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Mayor Chapa reconvened the Open Meeting at 8:57 PM.

A. **SECTION 551.072 – DELIBERATIONS REGARDING REAL PROPERTY – CONN BROWN HARBOR DEVELOPMENT**

No action taken.

B. **SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY – LEGAL MATTERS – NAISMITH ENGINEERING**

Motion Made By: Council Member Hyatt

Seconded By: Council Member Ellis

Votes: Aye Hyatt, Ellis, Abrego, Gomez, Chapa

Discussion: Council Member Hyatt made a motion to authorize City Manager Carrillo to proceed with legal action for the Conn Brown Harbor Project and have Mr. James McKibben from Texas Municipal League to represent the city. Council Member Ellis seconded the motion and the motion carried unanimously.

**14. ADJOURNMENT OF MEETING.**

Motion Made By: Council Member Hyatt

Seconded By: Council Member Ellis

Votes: Aye Hyatt, Ellis, Abrego, Gomez, Chapa

Mayor Chapa adjourned the City Council meeting at 8:58 PM.

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Adan Chapa, Mayor

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Yvonne Stonebraker, City Secretary